

Article - Criminal Law

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§6–503.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Passenger” means an individual who is traveling by railroad vehicle with lawful authorization and who does not participate in the operation of the railroad vehicle.

(ii) “Passenger” does not include a stowaway.

(3) (i) “Railroad” means a form of ground transportation that runs on rails or electromagnetic guide ways.

(ii) “Railroad” includes:

1. a commuter or other short–haul railroad passenger service in a metropolitan or suburban area; and

2. a high–speed ground transportation system that connects metropolitan areas.

(iii) “Railroad” does not include:

1. highway ground transportation; or

2. a rapid transit operation in a metropolitan area that does not connect to the general railroad transportation system.

(4) “Railroad carrier” means a person who provides railroad transportation.

(5) “Railroad property” means the material, equipment, and property used on or in connection with a railroad, right–of–way, or yard.

(6) “Right–of–way” means the track or roadbed that is:

(i) owned, leased, or operated by a railroad carrier;

(ii) located on either side of the tracks of the railroad carrier;

and

- (iii) 1. readily recognizable to a reasonable person as railroad property; or
- 2. reasonably identified as railroad property by fencing or appropriate signs.

(7) “Yard” means a system of parallel tracks, crossovers, and switches where railroad vehicles are switched or connected, and where railroad vehicles and other rolling stock are kept when not in use or when awaiting repair.

(b) This section does not apply to:

- (1) a passenger on a railroad vehicle;
- (2) an individual who enters railroad property in an emergency to:
 - (i) rescue from harm another individual or an animal, including livestock, a pet, or wildlife; or
 - (ii) remove an object that the individual reasonably believes to pose an imminent threat to life or limb;
- (3) an individual on the station grounds or in the depot of a railroad carrier as a passenger or to transact lawful business;
- (4) a person, a family member or invitee of a person, or an employee or independent contractor of a person who enters a railroad right-of-way to obtain access to land that the person owns, leases, or operates at a private crossing approved by the railroad carrier;
- (5) a person having permission of the railroad carrier to enter the railroad property;
- (6) a law enforcement officer, firefighter, or emergency response personnel while performing official duties;
- (7) a representative of the Maryland Department of Transportation or the Maryland Department of Labor while performing official duties; or
- (8) a representative of the Federal Railroad Administration or the National Transportation Safety Board while performing official duties.

(c) (1) Without the consent of the railroad carrier or other lawful authorization, a person may not ride on the outside or inside of a railroad vehicle, including a flatbed or container.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.

(d) (1) Without the consent of the railroad carrier or other lawful authorization, and except to cross the property at a public highway or other authorized crossing, a person may not knowingly enter or remain on railroad property.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 30 days or a fine not exceeding \$100 or both.

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